THE BOMBAY UNIVERSITY ACT, 1928.

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SCHEDULE.

BOMBAY ACT No. IV OF 1928.[1]

[THE BOMBAY UNIVERSITY ACT, 1928.]

[*2nd August 1928*]

Amended by Bom. 12 of 1928.
" " " 13 of 1929.
" " " 15 of 1930.
" " " 20 of 1930.
" " " 10 of 1936.
Adapted and modified by the Adaptation of Indian Laws Order in Council.
Amended by Bom. 11 of 1944.[2]
" " " 49 of 1948.
Adapted and modified by the Adaptation of Laws Order, 1950.

An Act to amend the law relating to the University of Bombay.

WHEREAS by [3]Act XXII of 1857 a University was established and incorporated at Bombay;

And whereas the law relating to the said University was amended by the [3]Indian Universities Act, 1904;

VIII of 1904.

And whereas it is necessary to reconstitute the said University to enable it to provide greater facilities for higher education and to conduct post-graduate teaching and research in all branches of learning, including technology, while continuing to exercise due control over the teaching given by colleges affiliated to it from time to time; And whereas the previous sanction of the Governor General required by section 80A (*3*) and the previous sanction of the Governor required by section 80C of the Government of India Act have been obtained for the passing of this Act;

6 Geo. V,

It is hereby enacted as follows:—

CHAPTER I.—PRELIMINARY.

Short title.

1. This Act may be called the Bombay University Act, 1928.

Commencement.

2. This section and sections 1 and 44 shall come into operation at once. The rest of the Act shall come into operation on such date as Government may, by notification [4]in the [5][*Official Gazette*] appoint in this behalf.

Interpretation.

3. In this Act, unless there is anything repugnant in the subject or context—

(*a*) "College" means an affiliated college;

(*b*) "Fellow" means an *ex-officio* Fellow or an ordinary Fellow of the University appointed under the provisions of this Act but does not include an Honorary Fellow;

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[1] For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1927, Part V, p. 81; for Report of the Select Committee, *see ibid*, 1927, Part V, p. 114; and for Proceedings in Council, *see* Bombay Legislative Council Debates, 1927, Vols. XX and XXI and 1928, Vol. XXII.

[2] This Act was repealed and sections 2 and 3 thereof were re-enacted by Bom. 6 of 1948, s. 2.

[3] Central Acts.

[4] Sections 3 to 43 and 45 to 52 came into operation on 24th January 1929 (*vide* Government Notification in the Educational Department, No. 3132, dated the 23rd January 1929, published in the *Bombay Government Gazette*, 1929, Part I, p. 132.)

[5] The words "*Official Gazette*" were substituted for the words "*Bombay Government Gazette*" by the Adaptation of Indian Laws Order in Council.

(*c*) "Head Master" means the head of a High School registered by the University;

(*d*) "prescribed" means prescribed by the Act or by any Statues, Ordinances or Regulations made thereunder;

(*e*) "Principal" means the head of a college;

(*f*) "Registered Graduate" means a graduate registered under the provisions of this Act or of [1]the Indian Universities Act, 1904; VIII of 1904.

(*g*) "Statutes", "Ordinances" and "Regulations" means respectively the Statutes, Ordinances and Regulations of the University made or deemed to have been made under this Act and for the time being in force;

(*h*) "Teacher" means such Professor, Reader, Lecturer and person giving instruction in any college as may be declared by the Statutes to be a teacher;

(*i*) "University" means the University of Bombay as reconstituted under this Act;

(*j*) "University Department" means any collegiate institution or post-graduate or research department maintained by the University;

(*k*) "University Professor" means a person appointed as such by the University; and

(*l*) "University Teacher" means a person appointed by the University to give instruction on its behalf.

CHAPTER II.—THE UNIVERSITY.

Incorporation and powers of the University.

4. (*1*) The University shall be and shall be deemed to have been incorporated for the purpose (among others) of making provision for the instruction of students, with power to appoint University Professors and University Teachers, to hold and manage educational endowments, to erect, equip and maintain University laboratories and museums, to make regulations relating to the residence and conduct of students, to lay down courses of instruction for the various examinations, to guide the teaching in colleges, to inspect colleges and to take measures to ensure that proper standards of teaching are maintained in them, to hold examinations, to confer degrees, to undertake post-graduate teaching and to promote research, and to do all acts, not inconsistent with this Act, which tend to the promotion of study and research.

(*2*) The Chancellor, Vice-Chancellor, the Rector (if any), the Fellows and all persons who may hereafter become or be appointed or elected to be Chancellor, Vice-Chancellor, Rector or Fellows as hereinafter mentioned, so long as they shall continue to be such Chancellor, Vice-Chancellor, Rector or Fellows, are hereby constituted and declared to be one body Corporate by the name of the University of Bombay; and such Body Corporate shall by such name, have perpetual succession and a common seal, and by such name shall sue and be sued.

(*3*) The University shall be competent to acquire and hold property, both moveable and immovable, to lease, sell or otherwise transfer any moveable or immovable property which may have become vested in or been acquired by it for the purposes of the University and to contract and do all other things necessary for the purposes of this Act.

[1] Central Acts.

[1][4A. The territorial limits within which the powers conferred upon the University by this Act shall be exercised shall comprise the whole of the Bombay Presidency [2]* * and such Indian States and other territories as may from time to time, be notified in this behalf by the [3][Central Government] in the [4][*Official Gazette*].] Territorial limits of the University.

5. (*1*) The Chancellor shall have the right to make an inspection or to cause an inspection to be made by such person or persons, as he may direct, of the University, of any institutions associated with the University and of any work conducted or done by the University, and to make an enquiry or to cause an enquiry to be made in like manner in respect of any matter connected with the University. The Chancellor shall in every case give notice to the Senate of his intention to make an inspection or enquiry or to cause an inspection or enquiry to be made, and the Senate shall be entitled to be represented thereat. Inspection of the University.

(*2*) The Chancellor may, after such inspection or enquiry, by order in writing, cancel any decision of the University or any authority thereof in respect of any matter which is not in conformity with this Act and the Statutes, Osdinances and Regulations :

Provided that, before making any such order, he shall call upon the Senate to show cause why such an order should not be made, and if any cause is shown within a reasonable time, he shall consider the same.

6. No person shall be excluded from membership of any of the authorities of the University or from admission to any degree or course of study on the sole ground of sex, race, creed or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever relating to religious belief or profession in order to entitle him to be admitted thereto as a teacher or student or to hold any office therein or to graduate thereat or to enjoy or exercise any privileges thereof except where in respect of any particular benefaction accepted by the University such test is made a condition thereof. Religious and other tests.

7. The following shall be the authorities of the University :— Authorities of the University.

(1) The Senate,

(2) The Faculties,

(3) The Syndicate,

(4) The Academic Council,

(5) The Board of Post-graduate Studies,

(6) Such other bodies as the Senate may declare by Statutes to be authorities of the University.

CHAPTER III.—The Senate. Its Powers, Constitution and Duties.

8. The Senate shall consist of the Fellows of the University (*ex-officio* and ordinary). Constitution of the Senate.

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[1] Section 4A was inserted by Bom. 20 of 1930, s. 2.

[2] The words and brackets "(excluding Sind)" were omitted by the Adaptation of Laws Order, 1950.

[3] The words "Central Government" were substituted for the words "Local Government" by the Adaptation of Indian Laws Order in Council.

[4] The words "*Official Gazette*" were substituted for the words "*Bombay Government Gazette*", *ibid.*

The Chancellor.

9. [1][(*1*) The Chancellor of the University shall be such person ast he [2][President] exercising his individual judgment, may nominate in this behalf.] He shall, by virtue of his office, be the head of the University and the President of the Senate and shall, when present, preside at meetings of the Senate and at any convocation of the University.

(*2*) The Chancellor shall exercise such powers as may be conferred on him under the provisions of this Act.

The Vice-Chancellor.

10. The Chancellor shall appoint a Vice-Chancellor who shall, save as herein otherwise provided, hold office for two years, and shall be eligible for re-appointment.

Powers of the Vice-Chancellor.

11. The Vice-Chancellor shall be responsible for the proper administration of the University and shall

(*a*) in the absence of the Chancellor, preside at the convocation and meetings of the Senate ;

(*b*) convene the Senate ;

(*c*) preside when present at the meetings of the Syndicate and exercise such other powers as may be conferred on him by this Act, the Statutes, Ordinances and Regulations.

The Rector.

12. (*1*) The Senate may create the office of the Rector by a statute to be framed by a majority of at least three-fourths of the whole number of Fellows.

(*2*) The Rector shall be a wholetime salaried officer of the University. He shall, subject to the approval of the [3][Central Government], be appointed by the Senate and shall have rank and precedence next after the Chancellor and the Vice-Chancellor.

(*3*) The Senate may, subject to the provisions of this Act, frame Statutes prescribing the manner of appointment of the Rector, the salary and conditions of his office and his powers and duties.

Fellows.

13. (*1*) The Fellows of the University shall be—

I. Ex-officio.

(A) (*i*) The Chancellor,
(*ii*) The Vice-Chancellor,
(*iii*) The Rector (if any),
(*iv*) The Registrar of the University.

(B) (*i*) The Chief Justice of Bombay,
(*ii*) The Minister of Education, Bombay,
(*iii*) The Director of Public Instruction, Bombay,
(*iv*) The Surgeon General with the Government of Bombay,
(*v*) The Director of Agriculture, Bombay,
(*vi*) The Secretary to the Government of Bombay, Public Works Department,

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[1] These words were substituted for the words "The Governor of Bombay, for the time being, shall be the Chancellor of the University" by the Adaptation of Indian Laws Order in Council.

[2] This word was substituted for the words "Governor General" by the Adaptation of Laws Order, 1950.

[3] The words "Central Government" were substituted for the word "Government".

[1][4A. The territorial limits within which the powers conferred upon the University by this Act shall be exercised shall comprise the whole of the Bombay Presidency [2]* * and such [3][Part B States] and other territories as may from time to time, be notified in this behalf by the [4][[5][State] Government] in the [6][*Official Gazette*].] Territorial limits of the University.

5. (*1*) The Chancellor shall have the right to make an inspection or to cause an inspection to be made by such person or persons, as he may direct, of the University, of any institutions associated with the University and of any work conducted or done by the University, and to make an enquiry or to cause an enquiry to be made in like manner in respect of any matter connected with the University. The Chancellor shall in every case give notice to the Senate of his intention to make an inspection or enquiry or to cause an inspection or enquiry to be made, and the Senate shall be entitled to be represented thereat. Inspection of the University.

(*2*) The Chancellor may, after such inspection or enquiry, by order in writing, cancel any decision of the University or any authority thereof in respect of any matter which is not in conformity with this Act and the Statutes, Ordinances and Regulations :

Provided that, before making any such order, he shall call upon the Senate to show cause why such-an order should not be made, and if any cause is shown within a reasonable time, he shall consider the same.

6. No person shall be excluded from membership of any of the authorities of the University or from admission to any degree or course of study on the sole ground of sex, race, creed or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever relating to religious belief or profession in order to entitle him to be admitted thereto as a teacher or student or to hold any office therein or to graduate thereat or to enjoy or exercise any privileges thereof except where in respect of any particular benefaction accepted by the University such test is made a condition thereof. Religious and other tests.

7. The following shall be the authorities of the University :— Authorities of the University.

(1) The Senate,
(2) The Faculties,
(3) The Syndicate,
(4) The Academic Council,
(5) The Board of Post-graduate Studies,
(6) Such other bodies as the Senate may declare by Statutes to be authorities of the University.

CHAPTER III.—The Senate. Its Powers, Constitution and Duties.

8. The Senate shall consist of the Fellows of the University (*ex-officio* and ordinary). Constitution of the Senate.

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[1] Section 4A was inserted by Bom. 20 of 1930, s. 2.
[2] The words and brackets " (excluding Sind) " were omitted by the Adaptation of Laws Order, 1950.
[3] These words were substituted for the words " Indian States " by the Adaptation of Laws Order, 1950.
[4] The words " Provincial Government " were substituted for the words " Local Government " by the Adaptation of Indian Laws Order in Council read with the Adaptation of Indian Laws (Amendment) Order, 1940.
[5] This word was substituted for the word " Provincial " by the Adaptation of Laws Order, 1950.
[6] The words " *Official Gazette* " were substituted for the words " *Bombay Government Gazette* " by the Adaptation of Indian Laws Order in Council.

The Chancellor.

9. [1][(*1*) The Governor of Bombay for the time being shall be the Chancellor of the University] . He shall, by virtue of his office, be the head of the University and the President of the Senate and shall, when present, preside at meetings of the Senate and at any convocation of the University.

(*2*) The Chancellor shall exercise such powers as may be conferred on him under the provisions of this Act.

The Vice-Chancellor.

10. The Chancellor shall appoint a Vice-Chancellor who shall, save as herein otherwise provided, hold office for two years, and shall be eligible for re-appointment.

Powers of the Vice-Chancellor.

11. The Vice-Chancellor shall be responsible for the proper administration of the University and shall

(*a*) in the absence of the Chancellor, preside at the convocation and meetings of the Senate ;

(*b*) convene the Senate ;

(*c*) preside when present at the meetings of the Syndicate and exercise such other powers as may be conferred on him by this Act, the Statutes, Ordinances and Regulations.

The Rector.

12. (*1*) The Senate may create the office of the Rector by a statute to be framed by a majority of at least three-fourths of the whole number of Fellows.

(*2*) The Rector shall be a wholetime salaried officer of the University. He shall, subject to the approval of the [2][[3][State] Government], be appointed by the Senate and shall have rank and precedence next after the Chancellor and the Vice-Chancellor.

(*3*) The Senate may, subject to the provisions of this Act, frame Statutes prescribing the manner of appointment of the Rector, the salary and conditions of his office and his powers and duties.

Fellows.

13. (*1*) The Fellows of the University shall be—

I. *Ex-officio.*

(A) (*i*) The Chancellor,
(*ii*) The Vice-Chancellor,
(*iii*) The Rector (if any),
(*iv*) The Registrar of the University.

(B) (*i*) The Chief Justice of Bombay,
(*ii*) The Minister of Education, Bombay,
(*iii*) The Director of Public Instruction, Bombay,
(*iv*) The Surgeon General with the Government of Bombay,
(*v*) The Director of Agriculture, Bombay,
(*vi*) The Secretary to the Government of Bombay, Public Works Department.

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[1] This portion was restored by the Adaptation of Indian Laws (Amendment) Order, 1940.

[2] The words "Central Government" were substituted for the word "Government" by the Adaptation of Indian Laws Order in Council and for the word "Central" the word "Provincial" was substituted by the Adaptation of Indian Laws (Amendment) Order, 1940.

[3] This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

(*vii*) Vice-Chancellors of other Universities, if any, established by law in the Bombay Presidency, and holders of such other offices as are prescribed by Statutes : provided that the number of such Fellows shall not exceed five.

(C) All Heads of University Departments.

II. Ordinary.

(A) Elected as prescribed below :—

(*i*) By one electorate of principles of colleges entitled to send up students for degree examination from among themselves as under :—	13
[1](*a*) Principals of arts colleges as follows :—	
(1) one principal elected by separate elections to represent the principals of arts colleges in each group as hereinafter defined ..	5
(2) three principals elected by a separate election to represent the principals of arts colleges in all the groups as hereinafter defined	3
(*b*) Principals of colleges of pure science	1
(*c*) Principals of colleges of medicine	1
(*d*) Principals of colleges of agriculture	1
(*e*) Principals of colleges of engineering	1
(*f*) Principals of colleges of law	1
(*ii*) By University teachers and teachers including principals from among themselves	20
(*iii*) One by head masters of schools in each group from among themselves	5
(*iv*) By public associations or bodies [2]* * * as under :—	[3][13]
(*a*) Municipal Corporation of the City of Bombay	1
(*b*) Indian Merchants' Chamber	1
(*c*) Chamber of Commerce	1
(*d*) Millowners' Association, Bombay	1
(*e*) Millowners' Association, Ahmedabad	1
(*f*) [4][Municipal Boroughs] of the Gujarat Group	1
(*g*) [4][Municipal Boroughs] of the Deccan Group	1
(*h*) [4][Municipal Boroughs] of the Karnatak Group	1
(*i*) [4][Municipal Boroughs] of the Konkan Group (except Bombay City)	1
[5]* * * * *	
(*k*) District local boards of the Gujarat Group	1
(*l*) District local boards of the Deccan Group	1
(*m*) District local boards of the Karnatak Group	1

[1] This entry was substituted by Bom. 15 of 1930, s. 2.
[2] The words "in British India" were omitted by the Adaptation of Laws Order, 1950.
[3] These figures were substituted for the figures "15", *ibid.*
[4] The words "Municipal Boroughs" were substituted for the words "City Municipalities", by Bom. 13 of 1929, s. 2.
[5] Clause (*j*) was omitted by the Adaptation of Laws Order, 1950.

(*n*) District local boards of the Konkan Group 1

[1]* * * * *

(*v*) By registered graduates 25

(*vi*) By the Faculties 10

(*vii*) By the [2][Bombay Legislative Assembly], of whom one shall be the representative of the University on the [3][Assembly] if he is not already a member of the Senate 5

[4][Provided that,—

(*1*) every person elected under any of the entries (*i*), (*ii*) and (*iii*) [5][or under any of the clauses (*a*), (*b*), (*c*), (*d*) and (*e*) of entry (*iv*) shall hold the office of a Fellow only so long as he occupies the office or comes under the designation which entitled him to be so elected; and

(*2*) the Fellows representing the [2][Bombay Legislative Assembly] shall hold office for the duration of the Legislative [3][Assembly] electing them and thereafter up to the date on which new Fellows are elected by next [3][Asembly].

[6][(*3*) The councillor of the Municipal Corporation of the City of Bombay elected by Fellows shall not be eligible to be elected as a Fellow by the said body.]

Explanation (*1*).—For the purposes of this section [7]* * * the Bombay Presidency [8]* * * shall be divided into the following groups.—

Name of Group.	Territorial extent of the group.
1 Gujarat group	Ahmedabad, Surat, Panch Mahals, Kaira and Broach districts.
2 Konkan group ...	The City of Bombay and the Nasik, Thana, Bombay Suburban, Ratnagiri and Kolaba districts.
3 Deccan group ...	Poona, Satara, Sholapur, Ahmednagar, West Khandesh and East Khandesh districts.
4 Karnatak group ...	Belgaum, Dharwar, Bijapur and Kanara districts.
[9]* ...	[9]* *

The Senate shall, by statute, determine to which of the groups abovementioned schools and colleges in Indian States [10][and other terriotires within the territorial limits of the University] shall be attached.

Explanation (*2*).—The [11]* * municipalities and district local boards mentioned in sub-clauses (*f*), (*g*), (*h*), (*i*), [12]* (*k*), (*l*), (*m*), [13][and (*n*)] are free to elect a person, who need not be a member of the city municipality or a district local board, to represent them on the Senate.

(B) Nominated by rhe Chancellor 40

(C) Donors to, or for the purposes of, the Univerity of money or property to the value of not less than one lakh of rupees, if willing to serve, to be subject to the provisions of sections 14, 15 and 17 Fellows for life.

(D) One nominee of each of the bodies giving a donation to, or for the purposes of, the University of money or property to the value of not less than one lakh

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[1] Clause (*o*) was omitted by the Adaptation of Laws Order, 1950.

[2] The words "Bombay Legislative Assembly" were substituted for the words "Legislative Council of the Governor of Bombay" by the Adaptation of Indian Laws Order in Council.

[3] The word "Assembly" was substituted for the word "Council", *ibid.*

[4] This proviso was added by Bom. 15 of 1930, s. 2.

[5] These words, letters, figures and brackets were inserted by Bom. 10 of 1936, s. 3 (*a*).

[6] This proviso was inserted, *ibid.*

[7] The words "the Schools and Colleges in" were omitted by Bom. 13 of 1929, s. 2.

[8] The words and brackets "(excluding Aden)" were omitted by the Adaptation of Laws Order, 1950.

[9] Entry 5 relating to Sind was omitted, *ibid.*

[10] These words were inserted by Bom. 20 of 1930, s. 3.

[11] The word "City" was omitted by Bom. 13 of 1929, s. 2.

[12] The brackets and letter "(*j*)"' were omitted by the Adaptation of Laws Order, 1950.

[13] These word, bracket and letter were substituted for the brackets, letters and word "(*n*) and (*o*)", *ibid.*

of rupees : Provided that the right of making any such nomination and, subject also to the provisions of sections 14, 15, 16 and 17, the tenure of any such nominee shall not extend beyond a period of twenty years from the date of the acceptance by the University of any such donation.

Explanation.—For the purposes of this section the value of any property offered as a donation to the University shall mean the market value of such property on the date of acceptance of the donation by the Senate.

(*2*) If in the case of any election the question is raised whether any person is or is not a Principal or a University Professor or University teacher or Head-master or a teacher the question shall be decided by the Vice-Chancellor.

Office vacated by leaving India.

14. (*1*) If any person being Chancellor, Vice-Chancellor, or Fellow of the said University shall leave India without the intention of returning thereto, his office shall thereupon become vacant.

(*2*) If the Vice-Chancellor is temporarily absent from India the Chancellor may appoint another person to act as Vice-Chancellor during the absence of the absent Vice-Chancellor.

Vacating of office.

15. (*1*) Any Ordinary Fellow may, by letter addressed to the Chancellor, resign his office and on the acceptance of the resignation the office shall become vacant.

(*2*) If for a period of twelve consecutive months any Ordinary Fellow except a Fellow for life, has not attended a meeting of the Senate, other than a convocation, the Chancellor may declare his office to be vacant.

[1][(*3*) Any person who holds any office in the University by virtue of his being a Fellow, shall cease to hold such office on his ceasing to be a fellow.]

Term of office of Ordinary Fellows.

16. (*1*) The Ordinary Fellows shall, save as herein otherwise provided hold office for five years.

(*2*) An Ordinary Fellow who has vacated his office may, subject to the provisions of this Act, be elected or nominated to be an Ordinary Fellow.

The appointment of a Fellow may be cancelled.

17. The [2][[3][State] Government] may, on the recommendation of the Senate supported by at least two-thirds of the whole number of Fellows, cancel the appointment of any person appointed or elected a Fellow of the University. As soon as such order is notified in the [4][*Official Gazette*], the person so appointed or elected shall cease to be a Fellow ; and he shall not be eligible for re-appointment or re-election until the disqualification has been removed by the [2][[3][State] Government] by a notification in the [4][*Official Gazette*].

Powers of the Senate.

18. (*1*) The Senate shall be the supreme governing body of the University and shall exercise all powers and perform all duties conferred or imposed on it by or under this Act as well as all powers of the University not provided for in this Act.

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[1] This sub-section was inserted by Bom. 15 of 1930, s. 3.

[2] The words "Provincial Governmet" were substituted for the words "Local Government" by the Adaptation of Indian Laws Order in Council read with the Adaptation of Indian Laws (Amendment) Order, 1940.

[3] This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

[4] The words "*Official Gazette*" were substituted for the words "*Bombay Government Gazette*" by the Adaptation of Indian Laws Order in Council,

(2) In particular, and without prejudice to the generality of the foregoing provision, the Senate may—

(*a*) save as provided in section 44 make, amend, or repeal Statutes and accept, reject or refer back but not amend draft Statutes submitted by the Syndicate ;

(*b*) subject to the provisions of this Act consider and cancel or refer back but not amend ordinances of the Syndicate, and regulations of the Academic Council ;

(*c*) consider and pass resolutions on the Annual Report, Accounts and Estimates ;

(*d*) consider the Annual Financial Statement placed before it by the Syndicate and pass it with such modifications as the Senate may think fit ;

(*e*) make provision for the physical [1]* * training of students ;

[2][(*ee*) make grants from the funds of the University towards the maintenance of any University Corps established for the University under the Indian Territorial Force Act, 1920 ;] XLVIII of 1920.

(*f*) institute and maintain professorships and other teaching posts, University Departments and hostels, found scholarships and prizes, and encourage the pursuit of learning by other means ;

(*g*) grant and confer degrees ;

(*h*) elect office-bearers and authorities provided in this Act and Statutes ;

(*i*) accept donations and endowments, and, if the interests of the University so require, give up any donation or endowment it has accepted ;

(*j*) consider and decide appeals in cases where such appeal is provided for in the Statutes ;

(*k*) delegate any of its powers to such authority or authorities as it may deem fit ; and

(*l*) generally do all such other acts and things as may be necessary or desirable to further the objects of the University.

CHAPTER IV.—FACULTIES.

Faculties.

19. (*1*) The University shall include such Faculties as are constituted by the Senate by Statutes from time to time.

(*2*) The Senate shall frame Statutes prescribing the constitution of each Faculty.

(*3*) A Fellow may be assigned, on the recommendation of the Syndicate to one or more Faculties.

(*4*) The Syndicate shall frame Ordinances governing the conduct of business of each Faculty and the appointment by each Faculty of its Chairman (to be called the Dean).

(*5*) The Senate may empower any Faculty to co-opt as members to serve on Boards of Studies controlled by it persons who possess special knowledge of the subjects of study represented by the Faculty, but who are not Fellows, in such manner and for such period as may be prescribed by the Syndicate by ordinance :

Provided that the number of persons so co-opted by any Faculty shall not exceed half the number of Fellows assigned to that Faculty.

CHAPTER V.—THE SYNDICATE.

The Syndicate.

20. (*1*) The executive government of the University shall be vested in the Syndicate constituted as follows from among the Fellows :—

(*a*) the Vice-Chancellor ;

(*b*) the Rector, if any ;

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[1] The words " and military " were omitted by Bom. 12 of 1928, s. 2.

[2] This clause was inserted, *ibid.*, s. 2.

(*c*) the Director of Public Instuction, Bombay;

[1][(*d*) seven persons elected by the members of the Academic Council from among themselves as follows:—

(*i*) one to represent each Faculty by separate elections; and

(*ii*) the remaining, if any, to represent the Academic Council generally;]

(*e*) nine persons to be elected by the Senate from among the Fellows who are neither Principals, University Professors, University Teachers, Teachers nor Head Masters.

[2][(*2*) Every member of the Syndicate shall, save as otherwise provided in section 48A, hold office for three years:

Provided that a member elected under clause (*d*) or (*e*) of sub-section (*1*) shall cease to hold office as such member if he ceases to be a member of the Academic Council or the Senate, as the case may be.]

(*3*) The Senate shall frame Statutes prescribing the manner of election of elected members of the Syndicate and the conditions governing their term of office.

(*4*) If in the case of any election the question is raised whether any person is or is not a Principal or a University Professor or a University Teacher or Teacher or Head Master, the question shall be decided by the Vice-Chancellor.

Powers and duties of the Syndicate.

21. The Syndicate shall have power—

(*a*) to direct the form, custody and use of the common seal of the University;

(*b*) subject to the powers conferred by this Act on the Senate, the Vice-Chancellor and the Rector (if any), to regulate and determine all matters concerning the University in accordance with the provisions of this Act, the Statutes and the Ordinances;

(*c*) to accept, reject, return to the Academic Council for reconsideration, but not amend regulations framed by the Academic Council;

(*d*) to frame the budget of the University for the consideration of the Senate;

(*e*) to administer the funds and property of the University;

(*f*) save as otherwise provided by this Act or the Statutes, to appoint on recommendation of a committee of selection if any as required by the Act or Statutes the officers (other than the Chancellor, the Vice-Chancellor and the Rector), University Professors, University Teachers and servants of the University, to define their duties and the conditions of their service, and to provide for the filling of temporary vacancies in their posts;

(*g*) to accept, subject to the direction of the Senate, transfer of any moveable or immovable property on behalf of the University;

(*h*) to arrange for and direct the inspection of colleges and hostels, and to issue instructions for maintaining the efficiency of the Colleges and in case of disregard of such instructions, to recommend modification of the conditions of affiliation and to take such other steps as it deems proper;

(*i*) to call for reports, returns and other information from the Colleges;

(*j*) to appoint examiners and to make ordinances for the conduct of University examinations;

(*k*) to publish the results of the University examinations and other tests;

(*l*) to control the University library and to appoint a library committee provided that at least half the members of the Committee shall be appointed from the Academic Council;

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[1] This clause was substituted for the original clause by Bom. 15 of 1930, s. 4.

[2] This sub-section was substituted for the original sub-section by Bom. 11 of 1944, read with Bom. 6 of 1948, s. 2.

(*m*) to provide for buildings, premises, furniture, apparatus and other means needed for carrying on the work of the University;

(*n*) to enter into, vary, carry out and cancel contracts on behalf of the University in the exercise or performance of the powers and duties assigned to it by the Act and the Statutes;

(*o*) to make, amend and cancel Ordinances;

(*p*) to fix, demand and receive such fees for the degrees to be conferred by it and upon admission into the University and for continuance therein and for other purposes of a like nature as may be prescribed by Statutes;

(*q*) to make provision for post-graduate instruction and research; and

(*r*) to exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act or the Statutes:

Provided that the Syndicate shall not arrive at any decision in regard to matters referred to in clauses [1][(*h*)] and (*j*) without inviting and receiving a report thereon from the Academic Council.

CHAPTER VI.—The Academic Council.

Constitution of the Academic Council.

22. The Academic Council shall consist of the following members, all of whom need not be Fellows :—

(*i*) The Rector, if any, otherwise the Vice-Chancellor.....the Chairman;

(*ii*) Deans of Faculties;

(*iii*) Such number of representatives not exceeding five of the University Professors and whole time University Teachers, as may be determined by Statute;

(*iv*) two Head Masters to be elected by the Senate from among the Fellows;

(*v*) twenty representatives of the Boards of Studies or groups of Boards of allied Studies as may be determined by Statute; and

(*vi*) five persons elected by the Senate from among Fellows.

Election of the Academ Council.

23. (*1*) The Senate shall frame a Statute prescribing the manner of election of the elected members of the Academic Council, and the conditions governing their term of office.

(*2*) If in the case of any election the question is raised whether any person is or is not a University Professor or a whole-time teacher or head master, the question shall be decided by the Vice-Chancellor.

Powers of the Academic Council.

24. The Academic Council shall frame regulations as provided in this Act and shall have the following powers :—

(*a*) to regulate teaching and examinations within the University;

(*b*) to determine and maintain the standards of examinations remaining responsible for the maintenance of such standards;

(*c*) to make regulations laying down courses of study subject to the approval of the Syndicate;

(*d*) to propose to the Syndicate the institution of new University teaching appointments, their duties and emoluments;

(*e*) to propose to the Syndicate schemes for the constitution of University Departments, Faculites and Boards of Studies;

(*f*) to make regulations for the award of University scholarships and prizes;

(*g*) to recommend to the Syndicate the names of persons to be appointed examiners;

[1]The letter and brackets "(*h*)" were substituted for the letter and brackets "(*b*)" by Bom. 15 of 1930, s. 5.

(*h*) to make regulations prescribing equivalance of examinations;

(*i*) to arrange for co-ordination of studies and inter-collegiate lectures;

(*j*) to make regulations prescribing the conditions to be complied with by candidates not being students of any College for degrees, diplomas, licences, titles, marks of honour, scholarships and prizes conferred or granted by the University;

(*k*) to exercise such other powers as may be conferred on it by Statutes; and

(*l*) generally to advise the University on all academic matters.

CHAPTER VII.—The Board of Post-graduate Studies.

The Board of Post-graduate Studies.

25. (*1*) The Board of Post-graduate Studies shall consist of:

(*i*) the Rector, if any, otherwise the Vice-Chancellor.....the Chairman;

(*ii*) four members appointed by the Syndicate;

[1][(*iii*) three members appointed by the Academic Council;

(*iv*) one University Professor appointed by the Academic Council.]

(*2*) The Board shall subject to the Act, and Statutes, Ordinances and Regulations framed thereunder control and co-ordinate post-graduate teaching and research in the University Departments and the Colleges and shall recommend to the Syndicate what teachers in the Colleges shall be recognised as University Teachers for Post-graduate instruction and research.

CHAPTER VIII.—Other University Bodies.

Boards of Studies.

26. (*1*) The Senate may, from time to time, frame Statutes constituting Boards of Studies, defining their functions, and attaching each Board to one or more Faculties.

(*2*) The Senate may abolish any Board of Study so constituted.

Other bodies.

27. The Senate may by Statutes constitute and define the functions of such other bodies as it may from time to time deem necessary for the purpose of carrying out the work of the University, and may abolish any of the bodies so constituted.

Committee of Selection.

28. (*1*) Whenever it is necessary to appoint a whole-time University Professor or University teacher, a Committee of Selection shall be formed.

(*2*) The members of the Committee shall be:

(*a*) The Vice-Chancellor (Chairman);

(*b*) Four persons having special knowledge of the subject, to be selected as follows:—

(*i*) one, who shall be a member of a Faculty of the University; by the Academic Council;

(*ii*) three, who shall not be Fellows, Members of Faculties, University Professors, University Teachers, or Teachers: one by the Academic Council, and two by the Syndicate.

(*3*) The Committee shall investigate the merits of the various candidates, and shall report to the Syndicate the names arranged in order of merit of persons, if any, whom it considers to be suitable for the vacant post.

(*4*) The Syndicate shall make the final selection out of the persons, if any, so recommended.

[1] Clauses (*iii*) and (*iv*) were substituted for the original clauses by Bom. 15 of 1930, s. 6.

[1][CHAPTER VIII-A.—QUALIFICATIONS FOR ENROLMENT.

Qualifications for enrolment of students of University.

28A. No student shall be enrolled as a student of the University unless he has passed—

(*i*) the Matriculation Examination held by the University before this section comes into force : or

(*ii*) the Secondary School Certificate Examination conducted by the Secondary School Certificate Examination Board in such subjects and with such standards of attainment as may be prescribed by the Statutes; or

(*iii*) the Entrance Examination, if any, which may be instituted by the University with the consent of the Provincial Government, and held in such subjects and in such manner as may be prescribed by the Statutes; or

(*iv*) any other examination prescribed as equivalent to the examinations referred to in clauses (*ii*) and (*iii*)

and possesses such further qualification, if any, as may be prescribed by the Statutes.]

CHAPTER IX.—DEGREES.

Degrees, diplomas, licences, titles and marks of honour.

29. The Senate may institute and confer such degrees, and grant such diplomas, licences, titles and marks of honour in respect of degrees and examinations as may be prescribed by Statutes.

Honorary Degrees.

30. If not less than two-thirds of the members of the Syndicate recommend that an honorary degree be conferred on any person on the ground that he is in their opinion, by reason of eminent position and attainments, a fit and proper person to receive such a degree and where their recommendation is supported by not less than two-thirds of the Fellows present at a meeting of the Senate and is confirmed by the Chancellor, the Senate may confer on such person the honorary degree so recommended without requiring him to undergo any examination.

Cancellation of degrees and the like and their restoration.

31. (*1*) Where evidence is laid before the Syndicate showing that any person on whom a degree, diploma, licence, title or mark of honour has been conferred by the Senate or who is an Honorary Fellow, has been convicted of what is, in the opinion of the Syndicate, a serious offence, the Syndicate may, after giving the person concerned an opportunity to explain, propose to the Senate that the degree, diploma, licence, title or mark of honour or Honorary Fellowship be cancelled, and, if the proposal is accepted by not less than two-thirds of the Fellows of the Senate and is confirmed by the Chancellor, the degree, diploma, licence, title, mark of honour or Honorary Fellowship shall be cancelled accordingly.

(*2*) The degree, diploma, licence, title or mark of honour may subsequently be restored on good cause shown.

(*3*) The procedure for the restoration of a degree, diploma, licence, title or mark of honour, shall, as far as is practicable, be as in sub-section (*1*) of this section.

CHAPTER X.—UNIVERSITY FUND.

University Fund.

32. (*1*) The fees charged by the Senate shall be carried to one General Fee Fund for the payment of expenses of the University.

[1] This Chapter was inserted by Bom. 49 of 1948, s. 34 (*1*).

(2) [1]* * * * *

(3) The accounts of income and expenditure of the University shall, once in every year, be submitted to the [2][[3][State] Government] for such examination and audit as the Government may direct.

CHAPTER XI.—STATUTES, ORDINANCES AND REGULATIONS.

Statutes—their scope.

33. (1) The Senate may, from time to time, make Statutes not inconsistent with this Act, for all matters relating to the University.

(2) In particular, and without prejudice to the generality of the foregoing power, such Statutes may provide for—

(*a*) the declaration of any person to be a teacher under section 3 (*h*);

(*b*) the declaration of other bodies to be authorities of the University as provided in section 7 (*6*);

(*c*) the manner of election of the elected Fellows and the elected members of the Syndicate, the Academic Council and the Board of Post-graduate Studies and the term and conditions of their office, the maintenance of a register of registered graduates and the filling up of casual vacancies in the Senate, the Syndicate, the Academic Council and the Board of Post-graduate Studies;

(*d*) the powers of the Vice-Chancellor;

(*e*) the appointment, conditions of office, powers and duties of the Rector, if any, and the Registrar and of the officers and servants of the University;

(*f*) the prescribing of offices the holder of which shall be *ex-officio* Fellows under section 13 (*1*) (B) (*vii*);

(*g*) the constitution, reconstitution or abolition of Faculties;

(*h*) the procedure at meetings of the Senate, the Syndicate, the Academic Council, the Board of Post-Graduate Studies and the Faculties and the quorum of members to be required for the transaction of business;

(*i*) the duties of the Academic Council;

(*j*) the constitution and powers of Boards of Studies; the functions of each such Board, the procedure of such boards and the quorum of members to be required for the transaction of business, and the attaching of each Board to one or more Faculties;

(*k*) the holding and control of the [4][Entrance Examination instituted under section 28A].

[5][(*kk*1) the conditions to be complied with by schools desiring recognition for the purpose of sending up pupils as candidates for the Entrance Examination;

(*kk*2) the condition to be complied with by schools desiring recognition for the purpose of sending up pupils as candidates for the Secondary School Certificate Examination.

Explanation.—For the purposes of this clause, 'schools' shall mean schools in such of the [6][Part B States] and other territories notified under section 4A as the [3][State] Government may specify in this behalf;

(*kk*3) the conditions to be complied with by candidates for the Entrance Examination whether sent up by recognized schools or not;]

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[1] Sub-section (2) was omitted by the Adaptation of Indian Laws Order in Council.

[2] The words "Provincial Government" were substituted for the words "Government of Bombay", *ibid*, read with the Adaptation of Indian Laws (Amendment) Order, 1940.

[3] This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

[4] These words were substituted for the words "matriculation examination" by section 49 of 1948, s. 34 (2).

[5] These clauses were substituted for clause (*kk*), *ibid*.

[6] These words were substituted for the words "Indian States" by the Adaptation of Laws Order, 1950.

(*l*) the constitution, powers and duties of the authorities of the University save as provided in this Act;

(*m*) the institution and conferment of degrees and the granting of diplomas licences, titles and marks of honour in respect of degrees and examinations;

(*n*) the registers of graduates and students to be kept by the University;

(*o*) the institution of pension or provident fund for the benefit of the officers, teachers and other servants of the University;

(*p*) all matters which by this Act may be prescribed by the Statutes; and

(*q*) generally, all matters relating to the University for which there is no provision or insufficient provision in this Act and for which provision is, in the opinion of the Senate, necessary.

Statutes—. their framing, amendment, repeal and operation.

34. (*1*) The Statutes may be amended, repealed, or added to, by Statutes made by the Senate in the manner hereinafter provided.

(*2*) All Statutes framed by the Senate, from time to time, shall be submitted for sanction to the Chancellor and they shall not come into operation until the Chancellor has accorded his sanction thereto.

(*3*) The Senate may take into consideration the draft of a Statute either of its own motion or on a proposal by the Syndicate.

(*4*) The Senate before passing a Statute taken into consideration of its own motion and affecting the powers or duties of any officer or authority of the University shall ascertain and consider the views of the officer or authority concerned and of the Syndicate thereon.

Ordinances— their making and scope.

35. (*1*) Subject to the provisions of this Act and the Statutes, the Syndicate may frame Ordinances to provide for all or any of the following matters, namely :—

(*a*) the admission of students to the University;

(*b*) the courses of study to be laid down for all degrees and diplomas of the University;

(*c*) the conditions under which students shall be admitted to the degree or diploma courses and to the examinations of the University, and be eligible for degrees, diplomas, licences, titles and marks of honour; and the form of the certificate to be produced by a candidate for examination under section 37 and the conditions on which any such certificate may be granted;

(*d*) the recognition of colleges and hostels;

[1]* * *;

(*f*) the residence and conduct of students;

(*g*) the number, qualifications and conditions of appointment of University Professors and University Teachers;

(*h*) the fees to be charged for courses of instruction in the University given by University professors and University teachers, for tutorial and supplementary instruction given by the University, upon admission into the University and for continuance therein, for admission to the examinations, degrees and diplomas of the University, for the registration of graduates and for other purposes of a like nature;

(*i*) the conditions of appointment, the mode of appointment and the duties of examiners;

(*j*) the conduct of examinations;

(*k*) the conduct of business of each Faculty and the appointment of the Dean of each Faculty;

(*l*) the duties and powers of the Boards and committees to be appointed by the University jointly with any other University or body;

[1] Clause (*e*) was repealed by Bom. 12 of 1928, s. 4.

(*m*) the discipline to be enforced in regard to the graduates and under-graduates in so far as they come within the jurisdiction of the University for purposes of study and examination;

(*n*) the extension of University teaching in any suitable centre within the Presidency by means of University Extension Lectures or otherwise;

(*o*) the rules to be observed and enforced by Colleges in respect of transfer of students;

(*p*) the functions of each Faculty;

(*q*) the fee (if any) to be paid for the entry or retention of a name on any register;

(*r*) the inspection of Colleges and the reports, returns and other information to be furnished by Colleges;

(*s*) the registers of students to be kept by Colleges;

(*t*) the appointment and duties of University Professors and University Teachers;

(*u*) the mode of execution of contracts or agreements for or on behalf of the University;

(*v*) generally, all matters which by this Act or by the Statutes, may be provided for by the Ordinances and all matters for which provision is in the opinion of the Syndicate, necessary for the exercise of the powers conferred, or the performance of the duties imposed on the Syndicate by this Act or the Statutes:

Provided that the Syndicate shall not arrive at any decision in regard to matters referred to in clauses (*b*), (*c*), (*d*), (*g*), (*i*), (*j*), (*n*) and (*o*) without inviting and receiving a report thereon from the Academic Council.

(*2*) All Ordinances made by the Syndicate shall, except as otherwise provided by this Act, have effect from such date as it may direct, but every Ordinance so made shall be laid on the table of the Senate as soon as may be and shall be considered by the Senate at its next meeting. The Senate shall have power, by a resolution passed by a majority of not less than two-thirds of the members present at such meeting, to cancel or refer for reconsideration any such Ordinance.

(*3*) The Vice-Chancellor shall, on the applicaton of not less than fifty members of the Senate, suspend the operation of any such Ordinance until the Senate has considered it as provided in sub-section (*2*).

Regulations —their making and scope.

36. (*1*) The Academic Council may make Regulations consistent with this Act and the Statutes and Ordinances to carry out the duties assigned to it thereunder and shall submit them to the Syndicate for approval.

(*2*) All Regulations when approved shall, except as otherwise provided by this Act, have effect from such date as the Academic Council may direct; but every Regulation so made shall be placed on the table of the Senate as soon as may be, and shall be considered by the Senate at its next meeting. The Senate shall have power, by a resolution passed by a majority of not less than two-thirds of the members present at such meeting, to cancel or refer for reconsideration any such Regulation.

(*3*) If the Syndicate does not approve of a Regulation, the Regulation shall, on a requisition by at least five members of the Syndicate, be referred to the Senate who shall thereupon have all the powers of the Syndicate in this connection. If the Regulation is accepted by the Senate the provisions of sub-section (*2*) shall not apply to it.

(*4*) The Vice-Chancellor shall, on the application of not less than fifty members of the Senate, suspend the operation of any such Regulation until the Senate has considered it as provided in sub-section (*2*) or sub-section (*3*).

CHAPTER XII.—Affiliated Colleges.

Certificates required of candidates for examination.

37. Save on the recommendation of the Syndicate, by special order of the Senate, and subject to any Statutes and Ordinances made in this behalf, no person shall be admitted as a candidate at any University examination other than [1][the Entrance Examination instituted under section 28A], unless he produces a certificate from a College to the effect that he has completed the course of instruction prescribed.

Existing Colleges.

38. Any College affiliated to the University before the passing of this Act may continue to exercise the rights conferred upon it by such affiliation, save in so far as such rights may be withdrawn, restricted or modified in the exercise of any power conferred by this Act.

Affiliation.

39. (*1*) A College applying for affiliation to the University shall send a letter of application to the Registrar, and shall satisfy the Syndicate and the Academic Council—

(*a*) that the College is to be under the management of a regularly constituted governing body;

(*b*) that the qualifications of the teaching staff and the conditions governing their tenure of office are such as to make due provision for the courses of instruction to be undertaken by the College;

(*c*) that the buildings in which the College is to be located are suitable, and that provision will be made, in conformity with the Statutes and Ordinances, for the residence in the College or in lodgings approved by the College, of students not residing with their parents or guardians, and for the supervision and physical welfare of students;

(*d*) that due provision has ben or will be made for a library;

(*e*) where affiliation is sought in any branch of experimental science, that arrangements have been or will be made in conformity with the Statutes and Ordinances for imparting instruction in that branch of science in a properly equipped laboratory or museum;

(*f*) that due provision will, so far as circumstances may permit, be made for the residence of the Principal and some members of the teaching staff in or near the College or the place provided for the residence of students;

(*g*) that the financial resources of the College are such as to make due provision for its continued maintenance; and

(*h*) that the College rules fixing the fees (if any) to be paid by the students have not been so framed as to involve such competition with any existing College in the same neighbourhood as would be injurious to the interests of education.

The application shall further contain an assurance that after the College is affiliated any transference of management and all changes in the teaching staff shall be forthwith reported to the Syndicate.

(*2*) On receipt of a letter of application under sub-section (*1*), the Syndicate shall—

(*a*) direct a local inquiry to be made by a competent person authorized by the Syndicate in this behalf;

(*b*) make such further inquiry as may appear to them to be necessary; and

(*c*) report to the Senate on the question whether the application should be granted or refused, either in whole or in part, embodying in such report the results of any inquiry under clauses (*a*) and (*b*).

And the Senate shall, after such further inquiry (if any) as may appear to them to be necessary, record their opinion on the matter.

[1] These words, figures and letter were substituted for the words "an examination for matriculation" by Bom. 49 of 1948, s. 34 (*3*).

(*3*) The Registrar shall submit the application and all proceedings, if any, of the Academic Council, the Syndicate and Senate relating thereto to [1][the [2][State] Government], who, after such inquiry as may appear to them necessary, shall grant or refuse the application or any part thereof.

(*4*) Where the application or any part thereof is granted, the order of [1][the [2][State] Government] shall specify the courses of instruction in respect of which the College is affiliated ; and, where the application or any part thereof is refused, the grounds of such refusal shall be stated.

(*5*) An application under sub-section (*1*) may be withdrawn at any time before an order is made under sub-section (*2*).

Extension of affiliation.

40. Where a College desires to add to the courses of instruction in respect of which it is affiliated the procedure prescribed by section 39 shall, so far as may be, be followed.

Inspection of Colleges and reports.

41. (*1*) Every College affiliated to the University, whether before or after the commencement of this Act, shall furnish such reports, returns and other information as the Syndicate, after consulting the Academic Council, may require to enable it to judge of the efficiency of the College.

(*2*) The Syndicate shall cause every such College to be inspected from time to time by one or more competent persons authorized by the Syndicate in this behalf.

(*3*) The Syndicate may call upon any College so inspected to take, within a specified period, such action as may appear to them to be necessary in respect of any of the matters referred to in sub-section (*1*) of section 39.

Disaffiliation

42. (*1*) A member of the Syndicate who intends to move that the rights conferred on any College by affiliation be withdrawn in whole or in part, or modified, shall give notice of his motion and shall state in writing the grounds on which the motion is made.

(*2*) Before taking the said motion into consideration the Syndicate shall send a copy of the notice and written statement mentioned in sub-section (*1*) to the Principal concerned, together with an intimation that any representation in writing submitted within a period specified in such intimation on behalf of the College will be considered by the Syndicate :

Provided that the period so specified may, if necessary, be extended by the Syndicate.

(*3*) On receipt of the representation or on expiration of the period referred to in sub-section (*2*), the Syndicate, after considering the notice of motion, statement and representation and after such inspection by any competent person authorised by the Syndicate in this behalf, and such further inquiry as may appear to them to be necessary, and after consulting the Academic Council, shall make a report to the Senate.

(*4*) On receipt of the report under sub-section (*3*), the Senate shall after such further inquiry (if any) as may appear to them to be necessary record their opinion in the matter.

(*5*) The Registrar shall submit the proposal and all proceedings, if any, of the Academic Council, the Syndicate and Senate relating thereto to [1][the [2][State]

[1] The words "the Provincial Government" were substituted for the words "the Government" by the Adaptation of Indian Laws Order in Council read with the Adaptation of Indian Laws (Amendment) Order, 1940.

[2] This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

Government] who after such further inquiry (if any) as may appear to them to be necessary, shall make such order as the circumstances may, in their opinion, require.

(*6*) Where by an order made under sub-section (*5*) the rights conferred by affiliation are withdrawn in whole or in part, or modified the grounds for such withdrawal or modification shall be stated in the order.

CHAPTER XIII.—Honorary Fellows.

Honorary Fellows.

43. (*1*) The Chancellor may nominate any person to be an Honorary Fellow for life who is eminent for his attainments in any branch of learning, or is an eminent benefactor of the University, or is distinguished for services rendered to the cause of education generally.

(*2*) Notwithstanding anything contained in this Act any person appointed to be an Honorary Fellow under section 13 of the Indian Universities Act, 1904, shall continue to be an Honorary Fellow for life, and shall be deemed to have been so appointed under this Act. VIII of 1904.

(*3*) A person shall not be debarred from appointment as Fellow, member of the Syndicate, member of the Academic Council or other office under this Act, merely on the ground of being an Honorary Fellow.

CHAPTER XIV.—Transitory Provisions.

Syndicate first to make the Statutes, Ordinances and Regulations.

44. (*1*) Notwithstanding anything contained in this Act, the first Statutes, Ordinances and Regulations under this Act shall be framed by the Syndicate constituted under the Acts repealed by this Act (in this section referred to as "the present Syndicate") within such time before the date of coming into operation of this Act as [1][the [2][State] Government] may fix in this behalf, and on approval by the Chancellor, shall be deemed to have been duly made under this Act.

(*2*) If the present Syndicate fails to frame the Statutes, Ordinances and Regulations referred to in sub-section (*1*) within the time therein mentioned [1][the [2][State] Government] may frame such Statutes, Ordinances and Regulations and the Statutes, Ordinances and Regulations so framed shall be deemed to have been made under this Act.

(*3*) Till the Senate is constituted as provided in this Act, the Senate and other University bodies constituted under the Acts repealed by this Act and existing on the date on which this Act comes into operation and all officers of the University shall continue in office.

(*4*) Until the various University bodies other than the Senate are duly constituted under this Act, all their duties (except that of framing statutes, ordinances and regulations) shall be performed by one or more committees appointed by the Chancellor who shall also frame rules for the proper working of those committees.

(*5*) If any difficulty arises as to the first constitution or reconstitution of any authority of the University after the commencement of this Act, or otherwise in first giving effect to the provisions of this Act, [1][the [2][State] Government], as occasion may require, may by order do anything which appears to them necessary for the purpose of removing the difficulty.

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[1] The words "the Provincial Government" were substituted for the words "Government" by the Adaptation of Indian Laws Order in Council read with the Adaptation of Indian Laws (Amendment) Order, 1940.

[2] This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

Elected and nominated Fellows to retire by rotation.

45. (*1*) The Vice-Chancellor shall, after the Senate is constituted under this Act, divide by lot the first fellows elected, and nominated under Part II (A) and (B) of sub-section (*1*) of section 13 into five equal groups as far as possible, under each of the said heads, the order of the groups being also determined by lot.

(*2*) Subject to the other provisions of this Act the fellows in the first, second third, fourth and fifth of the said groups shall hold office for one, two, three, four or five years respectively

(*3*) Fellows who have vacated their office under this section shall be eligible for re-election, and re-nomination.

[1][(*4*) Nothing contained in sub-sections (*1*), (*2*) and (*3*) shall apply or shall be deemed to have applied in the case of Fellows elected by the [2][Bombay Legislative Assembly] under entry (*vii*) under the heading II-Ordinary (A) in sub-section (*1*) of section 13.]

Elected members of the Syndicate to retire by rotation.

46. (*1*) The Vice-Chancellor shall, after the Syndicate is constituted under this Act, divide the members of the Syndicate elected under clauses (*d*) and (*e*) of sub-section (*1*) of section 20 into three equal groups, as far as possible under each of the heads, the order of the groups being also determined by lot.

(*2*) Subject to the other provisions of this Act, the members of the Syndicate in the first, second and third of the said groups shall hold office for one, two or three years respectively.

(*3*) Members of the Syndicate who have vacated their office under this section shall be eligible for re-election.

CHAPTER XV—GENERAL.

Interpretation in case of doubt.

47. (*1*) If any question arises regarding the interpretation of any provision of this Act or of any statute, ordinance or regulation, or as to whether any person has been duly elected or appointed as, or is entitled to be a member of any authority or other body of the University, the matter may be referred to the Chancellor, and shall be so referred if ten fellows so require. The Chancellor shall, after taking such advice as he deems necessary, decide the question, and his decision shall be final.

(*2*) Nothing in this section shall be deemed to affect in any way the existing jurisdiction of the High Court of Bombay.

Elections to be by proportional representation.

48. Every election to any authority of the University under this Act shall be made according to the system of proportional representation by means of the single transferable vote in such manner as may be prescribed by Statutes.

Casual vacancies.

[3][**48A.** When any vacancy occurs in the office of a Fellow or member of any authority of the University before the expiry of the term office of such Fellow or member, the vacancy shall be filled up as soon as conveniently may be by the election, nomination or appointment, as the case may be, of a Fellow or member who shall hold office so long only as the Fellow or member in whose place he has been elected, nominated or appointed would have held it, if the vacancy had not occurred :

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[1] This sub-section was inserted by Bom. 15 of 1930, s. 7.

[2] The words " Bombay Legislative Assembly " were substituted for the words " Legislative Council of the Governor of Bombay " by the Adaptation of Indian Laws Order in Council.

[3] This section was inserted by Bom. 11 of 1944 read with Bom. 6 of 1948, s. 2.

Provided that nothwithstanding anything contained in section 13, if the vacancy be of a Fellow and occurs within six months preceding the date on which the term of office of the Fellow expires the vacancy shall not be filled, if the Fellow be an elected Fellow.]

Proceedings not invalidated by vacancy.

49. No act or proceeding of any authority or other body of the University shall be invalid by reason only of any vacancy in the body doing or passing it or by reason of any want of qualification by or invalidity in the election or appointment of any *de facto* member of the body whether present or absent.

Pension or Provident Fund.

50. The University shall establish for the benefit of its officers, teachers and other servants such pension or provident fund as it may deem fit in such manner and subject to such conditions as may be prescribed by the Senate by Statutes.

Passing of property and rights to the University as reconstituted.

51. All property, all rights of whatever kind used, enjoyed or possessed by, and all interests of whatever kind owned by, or vested in, or held in trust by, or for the University of Bombay as constituted under the Acts repealed by this Act as well as all liabilities legally subsisting against the said University shall pass to the University as constituted under this Act.

Repeal.

52. The enactments specified in the Schedule shall be repealed to the extent specified in the fourth column thereof:

Provided that—

(*a*) this repeal shall not affect the validity of anything already done under any enactment hereby repealed; and

(*b*) the appointments of the Registrar and all other officers and servants of the University, and of Examiners, validly made under the Acts hereby repealed and subsisting on the date on which this Act comes into operation, shall be deemed to have been validly made under and for the purposes of this Act, and the Registrar and such officers, servants and examiners shall continue to hold office and to act, subject to the conditions governing the tenure of their office or employment, except in so far as such conditions may be altered by competent authority.

SCHEDULE.

ENACTMENTS REPEALED.

(Section 52.)

Acts of the Governor General in Council.

Year.	Number.	Short title.	Extent of repeal.
1857	XXII	The Bombay University Act, 1857	So much as has not already been repealed.
1904	VIII	The Indian Universities Act, 1904	[1] The whole Act.

[1] These words were substituted by Bom. 20 of 1930, s. 4.